To: Skubinna, Paul[PSkubinna@mt.gov]; Suplee, Mike[msuplee@mt.gov]
Cc: Towlerton, Alan[Alan.Towlerton@hdrinc.com]; Mumford, David[MumfordD@ci.billings.mt.us]; Craig Woolard[CWoolard@BOZEMAN.NET]; Laidlaw, Tina[Laidlaw.Tina@epa.gov]
From: McInnis, Amanda
Sent: Wed 10/16/2013 4:25:56 PM
Subject: Permit Implementation Guidance from Wisconsin on Numeric Criteria
TMDLGuidance[1].pdf

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;;;;;
Paul and Mike—

I attached the guidance document that the State of Wisconsin put together around their new nutrient rules. This document has several detailed sections about how the permits will be developed based on the criteria. This is a far more complete document than what's currently in MDEQ12 and answers many of the "how will permits be written?" question in a very detailed way. Here's a few things that caught my eye:

∀ They do allow full mixing with the River for reasonable potential calculations, without a diffuser.

∀ They use monthly averaging in limits if P concentrations are above 0.3 mg/L, but allow utilities seasonal averages below 0.3 mg/L which makes a huge difference in managing the utility. I wish MDEQ would consider doing this.

∀ There is a lot of detailed discussions (much of it revolving around the TMDL) about how the permit limits will be expressed. There is none of this kind of language in the current draft of MDEQ12. It's unclear how the loads/concentrations will be expressed. In fact, the last time I talked to Jenny about this she said these need to be listed as concentrations, since the variance package lists concentrations, which is a huge issue. That kills all reuse and trading programs. The package is silent on this issue and it's a big one.

∀ It's clear in Wisconsin, that the TMDL wasteload allocation takes precedence of the "alternative effluent limit" in Wisconsin. MDEQ has said in its response to comments that the variance will take precedence over the TMDL wasteload allocation. It would be nice to have that stated more clearly like it is in this package.

∀ Translation of the TSD for nutrients is much more complete here. They explain exactly what CV will be used, and have developed tables that are different than what's in the TSD.

∀ Data requirements are also spelled out in much more detail here.

∀ It allows the possibility of not giving a point source discharger a nutrient limit if non-point sources are being controlled in a TMDL implementation plan.

I thought I would pass this along as something for you to consider.

Amanda

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